Michael Man

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE

SW/S Riverview Road, 2294 ft.

NW of Back River Neck Road \* ZONING COMMISSIONER

2114 Riverview Road

15th Election District \* OF BALTIMORE COUNTY

5th Councilmanic District

Kim Robinson, et al \* Case No. 98-427-A

Petitioners

\* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for a Variance for the property located at 2114 Riverview Road in the Back River/Cedarpoint community of eastern Baltimore County. The Petition was filed by Kim Robinson and Sharon Robinson, his wife, property owners. Variance relief is requested from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow side yard setbacks of 7 ft. and 20 ft., in lieu of the required 50 ft. and from Section 400.1 to allow an existing shed to remain in the side yard in lieu of the required rear yard. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit #1.

Appearing at the public hearing held for this case were the Petitioners, Kim and Sharon Robinson. There were no Protestants or interested persons present.

Testimony and evidence presented was that the subject property is 10,500 sq. ft. in area, zoned R.C.5. The property is a rectangularly shaped lot, approximately 210 ft. deep and 50 ft. wide. The property has water frontage along Back River. Vehicular access to the property is by way of Back River Neck Road and Riverview Road.

Mr. and Mrs. Robinson have owned the property for approximately 4 years. Presently, the site is improved with a one story existing dwelling known as 2114 Riverview Road. An open porch is attached to the dwelling

and faces the water. There are also two additional free standing structures on the property, a 12 ft.  $\times$  20 ft. shed and a 12 ft.  $\times$  20 ft. garage.

Mr. and Mrs. Robinson desire to expand the property by adding a second floor. While attempting to obtain permits for that construction, they were advised that variance relief was necessary to legitimize existing setbacks and the location of the shed. In view of the property's R.C.5 zoning classification, 50 ft. side yard setbacks are required. The existing building envelope is located 7 ft. from the western property line and 20 ft. from the eastern property line. Moreover, the shed is located in the side yard, in lieu of the required rear yard.

There is no additional impervious area to be added during construction. Moreover, the building footprint will not be increased in that the building will only be made higher and not wider or deeper.

The Petitioners indicated that their neighbors have no objections to the proposed construction and there were no Protestants or other interested persons present.

Based upon the testimony and evidence presented, I am persuaded to grant the Petition for Variance. In my judgment, the Petitioner has produced sufficient testimony to comply with the requirements of Section 307 of the BCZR. The proposed construction appears appropriate and will not increase the impervious area on the lot. This is a significant impact, in view of the waterfront character of this property. The relief granted herein will be conditioned with the requirement that the Petitioners comply with the Zoning Plans Advisory Committee (ZAC) comments from the Department of Environmental Protection and Resource Management. Those comments require compliance with the Chesapeake Bay Critical Area Regulations and an evaluation of the well and septic system.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

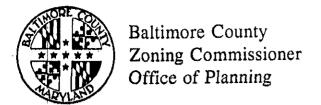
THEREFORE, IT, IS ORDERED by the Zoning Commissioner for Baltimore County this day of July 1998 that a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (BCZR) to allow side yard setbacks of 7 ft. and 20 ft., in lieu of the required 50 ft., and from Section 400.1 to allow an existing shed to remain in the side yard, in lieu of the required rear yard, be and is hereby GRANTED, subject, however, to the following restrictions:

- The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners shall comply with all 2. requirements of the Department of Environmental Protection and Resource Management, as set forth in their comment dated May 29, 1998.
- When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES/mmn



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

July 1, 1998

Mr. and Mrs. Kim Robinson 2114 Riverview Road Baltimore, Maryland 21221

RE: Case No. 98-427-A
Petition for Variance

Property: 2114 Riverview Road

Dear Mr. and Mrs. Robinson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.



## Petition for Variance

### to the Zoning Commissioner of Baltimore County

for the property located at

2114 Riverview Rd

which is presently zoned

R.C.5

The production of the contract	ハヘ・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・
This Petition shall be filed with the Department of Permits & Development Management The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and p hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 A 0 4, 3, 8, 3  TO Allow 5  Set back As close as 7 and 20 IN lev of the required 50 AND  400.1 to Allow AN existing shed to remain in the side yave	"IDE YARD
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of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate ha	rdship or
to Add a 22 lat by 47 lat come I ly	

Practical difficulty is 72.5 Set back requirements are more than the Size of small let allows. (lot isomly 50 wise) Both neighboring house are two Stories tax. Existing shed is to stry. Property is to be posted and advertised as prescribed by Zoning Regulations.

If or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:			Legal Owner(s)
(Type or Print Name)		· · · · · · · · · · · · · · · · · · ·	12in Robinson
Signature			Signayre
Address			Sharon Robinson
Address			(Typ: 6) -rint Name)
City			Sharm Robinson
City	State	Zipcode	Signature
Attorney for Petitioner.			8
Type or Print Name)			2114 RIVET VIEW RJ. 410-780-36
			D // C A
			120140 1 Mg. 21551
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			(, 0)
ddress	Phone No.		Name Colonison
			714 Revervier Rd. 410-780-3
lity	State	Zipcode	Address Phone No.
	,		OFFICE USE ONLY
			ESTIMATED LENGTH OF HEARING
			unavailable for Hearing
·			the following dates Next Two Months
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Revised 9/5/95			
-~++>C( 3/ 3/ 3/ 3)	10	110-	HEVIEWED BY:DATE
(	$J \times J$		/_ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \

## Zoning Description

Zoning description for 2114 Riverview Rd.

Beginning at a point on the Southwest side athe distance 1294 feet porthuest of the centerline of the nearest intersecting Street Back River Neck Rd., which is 20 feet wide. Being Lot # 2 as laid down on plat of Sutton Britcher & Company recorded among land records of Baltimore County in plat book L. McL.M. No. 10, folio 2. In the Subdivision of Holly Farm Beach. Being the Same Lot of ground which by deed April 13 1971 is recorded among Land Records of Baltimore County in Liber 5179 folio 389 Contains 10,500 "Square Feet, Also known AS ZII4 River view Rd. and Located in the 15th Election District, 5 councilnatic District

98.427-A

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No.	20-10-15	30.00			R. 9 68.4	YELLOW - CUSTOMER
BALTIMORE COUNTY, MARYLA OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE	4.27 AMOUNT	RECEIVED TO A S G	FOR. UPC I C. C.	2114 Programme	<u>DISTRIBUTION</u> WHITE - CASHIER PINK - AGENCY YELLOW

Bathmore County, by authority of the Coning Act and Regulations of Battimere County, will flood a public hearing in Town 500. Manufact on the property identified therein as follows. The Zoning Commissioner of

Case #98-427-A 2114 Riverview Road, 2294 WW.Back Riverview, Road, 1501 Rection District 501 Rection District 501 Controllieries District Eagat Ownset(s): - Kim Robin-son & Sharon Robinson

Variance: to alony site yard settbacks as close as 7 feet and 20 feet in file of the rotating Sife and to along a feet of the rotating site of the rotating in feet of the rotating site of the rotating and feet of the rota

LAWRENCE E SCHIMIST Zohing Commissioner for Baltimore County.

NOTES. (1) Hearings are Handicapped Accessible, for special accommodations Please Call (4110) 867-3333. (2) For Information concerning the 15th and/or Hearing, Please Call (4110) 887-3394.

6036 June 4 C233477

CERTIFICATE OF PUBLICATION

<u>モ</u> TOWSON, MD., THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published \_successive in Towson, Baltimore County, Md., once in each of\_ weeks, the first publication appearing on \_

THE JEFFERSONIAN.

LEGAL AD. - TOWSON

#### **CERTIFICATE OF POSTING**

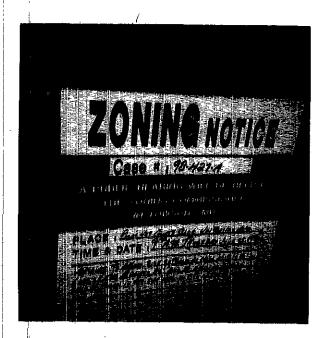
RE: Case # 98-427-A
Petitioner/Developer:
(Sharon Robinson)
Date of Hearing/Glasting:
(June 25, 1998)

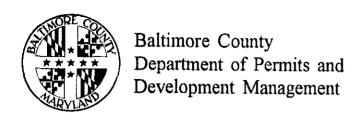
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204

Attention: Ms. Gwendolyn Stephens

**Ladies and Gentleman:** 

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at
2114 Riverview Road Baltimore, Maryland 21221
The sign(s) were posted on June 9, 1998





Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 21, 1998

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-427-A

2114 Riverview Road

SW/S Riverview Road, 2294' NW Back River Neck Road

15th Election District - 5th Councilmanic District Legal Owner: Kim Robinson & Sharon Robinson

<u>Variance</u> to allow side yard setbacks as close as 7 feet and 20 feet in lieu of the required 50 feet and to allow an existing shed to remain in the side yard in lieu of the required rear yard.

**HEARING:** 

Thursday, June 25, 1998 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue

Arnold Jabion

Director

c: Kim & Sharon Robinson

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 10, 1998.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY June 4, 1998 Issue - Jeffersonian

Please forward billing to:

Mr. & Mrs. Kim Robinson 2114 Riverview Road Baltimore, MD 21221

410-780-3691

#### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-427-A
2114 Riverview Road
SW/S Riverview Road, 2294' NW Back River Neck Road
15th Election District - 5th Councilmanic District
Legal Owner: Kim Robinson & Sharon Robinson

<u>Variance</u> to allow side yard setbacks as close as 7 feet and 20 feet in lieu of the required 50 feet and to allow an existing shed to remain in the side yard in lieu of the required rear yard.

**HEARING:** 

Thursday, June 25, 1998 at 9:00 a.m. in Room 407, County Courts Building,

401 Boslev Avenue

Lawrence E. Schmisty LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



# Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avent Towson, Maryland 21204

#### ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

	ARNOLD JABLON, DIRECTOR
For newspaper advertising:	بيت هيد جيد عبد هيد هيد هيد هيد هيد هيد جيد هي هيد چين هيد هيد جي هي هيد جيد جيد هيد هيد هيد هيد هيد هيد ميد س
Item No.: 427	•
Petitioner: Sharon + Kim Robin	vsoN
Location: 2114 Riverview Rd.	BALTO 21221
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: MI+ Mrs Kim ROBINSON	
ADDRESS: 2114 RIVERVIEW RD	
BACTO., MD 21221	
PHONE NUMBER: 410-780-3691	*

AJ:qgs

48.427-A (Revised 09/24/96)

Request for Zoning: Variance, Special Exception, or Special Hearing
Date to be Posted: Anytime before but no later than
Format for Sign Printing, Black Letters on White Background:
ZONING NOTICE
Case No.: 98-427-A
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD
PLACE:
DATE AND TIME:
REQUEST: VARIANCIE to Allow Sine yard setbacks
of T' and 20' in I'es of the Regurace 50;
And to Allow AN existing shed to Romain
in the Side YARd in lies of the Rogoized
sers yerd.
POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE
9/96

9/96 post.4.doc

* *	*	*	*	*	*	*	*	*	*	*	*	*	
Pe	titioner(s)					*	ı	Case Nu	mber: 98	8-427-A			
Legal Own	ers: Kim	Robinso	n and Sh	iaron Rol	oinson	*	:	BALTIM	IORE CO	DUNTY			
Councilma		KQ, 130	n elecno	n Distric	t, stn	*	]	FOR					
RE: PETITION FOR VARIANCE 2114 Riverview Road, SW/S Riverview Rd, 2294' NW Back River Neck Rd, 15th Election District, 5th							* ZONING COMMISSIONER						
						*	]	BEFORE	ETHE				

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

People's Counsel for Baltimore County

Peter Mary Zimmerman

Carole S. Demilio

Deputy People's Counsel Old Courthouse, Room 47 400 Washington Avenue Towson, MD 21204

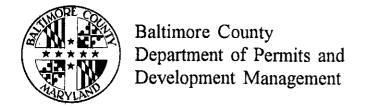
Carole S. Demilio

(410) 887-2188

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 10 day of June, 1998, a copy of the foregoing Entry of Appearance was mailed to Kim Robinson and Sharon Robinson, 2114 Riverview Road, Baltimore, MD 21221, Petitioner(s).

PETER MAX ZIMMERMAN



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 16, 1998

Mr. & Mrs. Kim Robinson 2114 Riverview Road Baltimore, MD 21221

RE: Item No.: 427

Case No.: 98-427-A

Petitioner: Kim and Sharon

Robinson

Location: 2114 Riverview

Road

Dear Mr. & Mrs. Robinson:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 11, 1998.

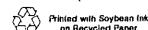
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr. Zoning Supervisor

WCR:ggs
Attachment(s)



Due Date: May 29, 1998

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RDJ)

SUBJECT:

Zoning Item #427

#### Robinson Property, 2114 Riverview Road

	Zoning Advisory Committee Meeting of May 26, 1998
प्र पहिल्लाम् प्रध्ने नेपाई	The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
	The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
X	The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
	Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
	Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
	X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
	X Ground Water Management: An evaluation of the well and septic system will be required prior to approval of a building permit.

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

**DATE**: May 26, 1998

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. "Pat" Keiler, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

Item No. 417, 427, 428, 431, 433, 435, and 440

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:

Division Chief:

AFK/JL



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

May 27, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF MAY 26, 1998

Item No.: 427, 428, 429, 433, 434 435, 436, 437, 438, 439 440

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Parris N. Glendening Governor

David L. Winstead Secretary

Parker F. Williams Administrator

Ms. Gwen Stephens Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County ラマス・ラン

Item No.

427 CAM

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief

1. J. tredh

**Engineering Access Permits** 

Division

LG

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 8, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for June 1, 1998 Item Nos (427) 429, 430, 432, 433,

437, and 440

The Development Plans Review Division has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

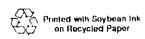
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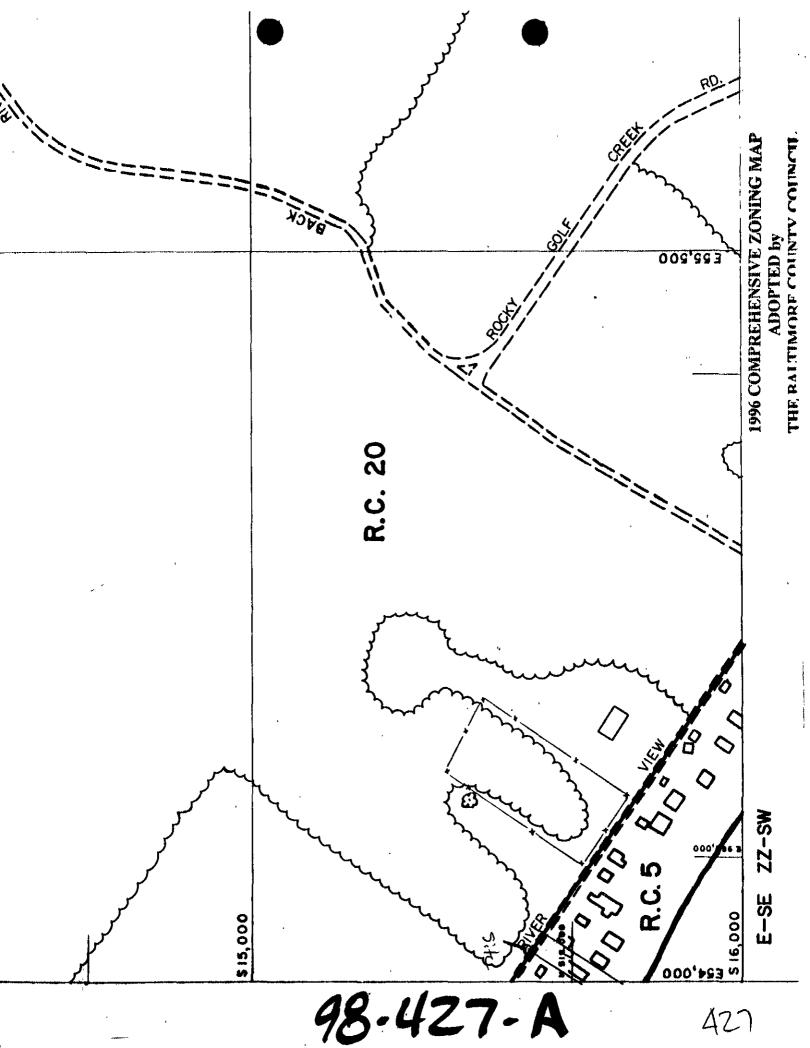


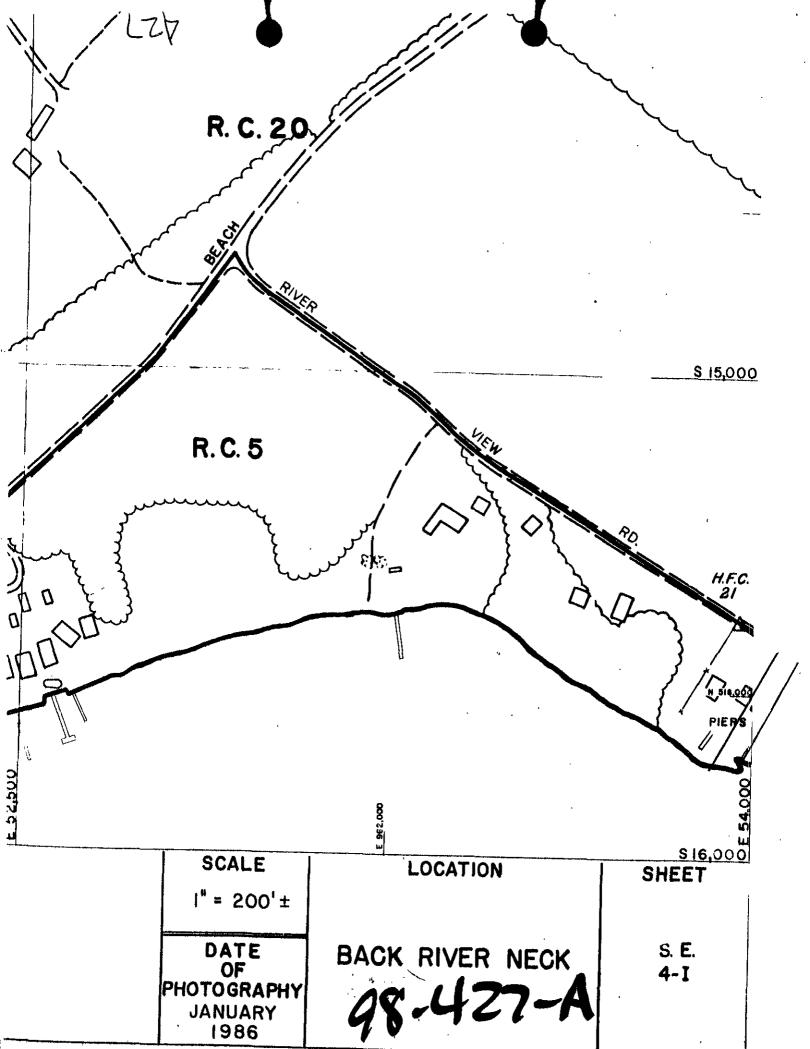
#### PLEAGE PRINT CLEARLY

#### PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS					
Sharon Robinson Kim Robinson	2114 RIVERVIEWRD 2122					
Kim Robinson						
**************************************						
	**************************************					
	**************************************					







Flood Plain C" Elevation 30'± Scale of Drawing: 1'= 50'	Sachafung   Kineranism   15   15   15   15   16   18   18   18   18   18   18   18	OWNER: Shakon + Kim Reddingson  OWNER: Shakon + Kim Reddingson  1	o accompany Petition for Zoning  TAX TO 151240
None Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:	SEWER:	Councilmanic District:  Counci	Special Special

